Snag in Plan to Open Kennedy Files

Justice Dept. fights bill to release papers — despite earlier White House approval

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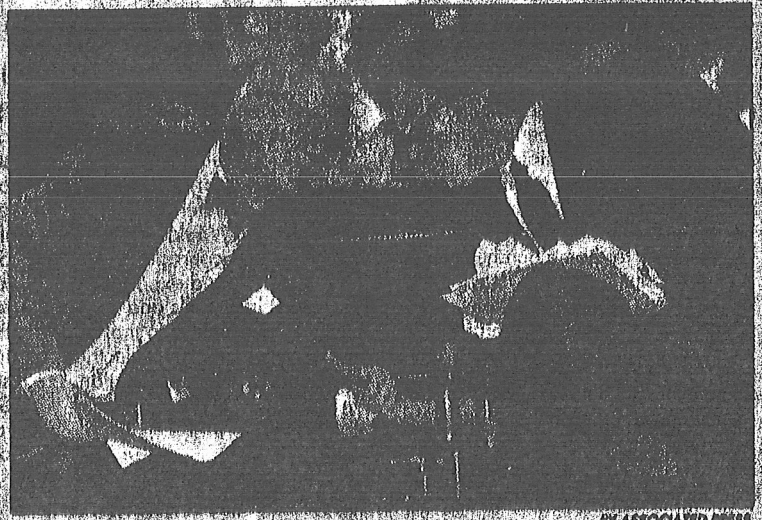
Legislation to release Kennedy assassination documents hit a snag yesterday as the Justice Department, reversing Bush administration policy, came out "strongly" against the proposal.

Assistant Attorney General W. Lee Rawls said in a letter made public yesterday that the proposed House-Senate resolution "would severely encroach upon the president's constitutional authority to protect confidential information."

Rawls also raised national security concerns, saying that language clearing the way for the release of CIA and FBI documents could endanger intelligence methods and sources. And he said the bill would leave law enforcement and executive branch deliberations open to public scrutiny.

"We strongly object to the resolution in its current form," Rawls said. If passed, the Justice Department "would give serious consideration to recommending presidential disapproval."

Until yesterday, top ranking Bush administration officials — including CIA Director Robert Gates and FBI chief William Sessions — had supported the legislation, saying they would cooperate in making public thousands of secret documents relating to the 1963 slaying of President Kennedy.



BY ASSOCIATED PRESS

Frank Mankiewicz (left) and Oliver Stone conferred at the hearing on a bill to make the Kennedy assassination documents public

Rawls said the Justice Department is "sympathetic to the concerns" of the public about the assassination and is drafting an alternative version. But the department's bill would broaden the president's power to withhold information and increase his control over the review process.

Representative John Conyers, D-Mich. and chairman of the House Government Operations Committee, said the letter from Rawls arrived Monday evening. He said Justice Department officials declined to attend yesterday's hearing. Gates was also invited but did not attend.

"I have a tremendous concern that we not compromise the bill in order to get something that is veto-proof," said Representative Christopher Shays, R-Conn. "It's really hard for me to imagine what national security issues are at stake."

Under the proposed resolution, the federal appeals court in Washington would appoint a five-member citizen board to review and decide on the release of assassination documents. In cases involving sensitive issues such as the FBI or CIA, the board could require the release material only on the grounds of privacy or national security.

"The thrust of the legislation is to release everything that's releasable," said Representative Louis Stokes, D-Ohio, co-author of the bill and former chairman of the House assassinations committee of the late 1970s.

By opposing the legislation, the Justice Department goes against a wave of public pressure that followed the movie "JFK." The Oliver Stone film offered a government conspiracy theory of the assassination and sharply criticized the continued concealment of documents.

Stone testified at the hearing, saying, "We have a right to know our history." He said afterward that "the Justice Department has now set itself up against this process, as has President [illegible]."

Also at the hearing was Frank Mankiewicz, who worked with both John and Robert Kennedy and has called for opening the assassination files.